Approved for use through 07/31/2006. OMB 0651-0032
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UTILITY PATENT APPLICATION **TRANSMITTAL**

Attomey Docket No.	1010/133US1
First Inventor	Harold H. Schmitz
Title	Flavanols and Procyanidins Promo to
Express Mail Label No.	ER 485644251US #OM 605+a 8

(Only for new horiprovisional applications under 37 CFR 1.55(b))	Express Mail Label No. ER 46364425105							
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450							
1. Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) Applicant claims small entity status. See 37 CFR 1.27. 3. Specification [Total Pages 37] (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. Drawing(s) (35 U.S.C. 113) [Total Sheets 3]	7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. Computer Readable Form (CRF) b. Specification Sequence Listing on: i. CD-ROM or CD-R (2 copies); or ii. Paper c. Statements verifying identity of above copies ACCOMPANYING APPLICATION PARTS 9. Assignment Papers (cover sheet & document(s)) 10. 37 CFR 3.73(b) Statement Power of							
Oath or Declaration [Total Sheets] a. Newly executed (original or copy)	(when there is an assignee) 11. English Translation Document (if applicable) 12. Information Disclosure Copies of IDS							
b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)	Statement (IDS)/PTO-1449 Citations 13. Preliminary Amendment 14. Return Receipt Postcard (MPEP 503)							
i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	(Should be specifically itemized) 15. Certified Copy of Priority Document(s) (if foreign priority is claimed) Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. Other: G. S. C. Sprood Madd.							
6. Application Data Sheet. See 37 CFR 1.76								
18. If a CONTINUING APPLICATION, check appropriate box, and suppose specification following the title, or in an Application Data Sheet under 37	oly the requisite information below and in the first sentence of the 7 CFR 1.76:							
Continuation Divisional Continuat	tion-in-part (CIP) of prior application No.:							
Prior application information: Examiner For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.								
19. CORRESPOND	DENCE ADDRESS							
Customer Number: 32260	OR Correspondence address below							
Name								
Address								
	State Zip Code							
Country	elephone Fax							
Name (Print/Type) Nada Jain Registration No. (Attorney/Agent) 41,431								
Signature VC+- h	Date December 2, 2003							

This collection of information is required by 37 CFR 1/53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004		Complete if Known			
		Application Number	Not yet known		
		Filing Date	Concurently herewith		
Effective 10/01/2003. Patent fees are		First Named Inventor	Harold H. Schmitz		
Applicant claims small entity status. See 37 CFR 1.27		Examiner Name	Not yet assigned		
		Art Unit	Not yet assigned		
OTAL AMOUNT OF PAYMENT	(\$) 2144.00	Attorney Docket No.	1010/133US1		

	Allottiey Bocket No. 1010/100001					
METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)					
Check Credit card Money Other None		3. ADDITIONAL FEES				
Deposit Account:	<u>Large E</u>	ntity	Small	Entity		
Denosit		Fee (\$)	Fee Code	Fee (\$)	Fee Description	
Account Number 50-2549	Code 1051	130	2051		Surcharge - late filing fee or oath	Fee Paid
Deposit NADA IAIN D.C.	1052	50	2052		Surcharge - late provisional filing fee or	
Account Name					cover sheet	
The Director is authorized to: (check all that apply)		130	1053		Non-English specification	
Charge fee(s) indicated below Credit any overpayments		2,520	1812		For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee	1805	1,840*	1805	1,840*	Requesting publication of SIR after	
to the above-identified deposit account.					Examiner action	
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	
1. BASIC FILING FEE	1252	420	2252	210	Extension for reply within second month	
Large Entity Small Entity Fee Fee Fee Fee Fee Description Fee Paid	1253	950	2253		Extension for reply within third month	
Code (\$) Code (\$)	1254	,	2254	740	Extension for reply within fourth month	
1001 770 2001 385 Utility filing fee 770.00	1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal	
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$) 770,00	1452	110	2452	55	Petition to revive - unavoidable	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1,330	2453	665	Petition to revive - unintentional	
Fee from	1501	1,330	2501	665	Utility issue fee (or reissue)	
Extra Claims below Fee Paid Total Claims 42 .20** = 22 x 18 = 396	1502	480	2502	240	Design issue fee	
	1503	640	2503	320	Plant issue fee	
Claims	1460	130	1460	130	Petitions to the Commissioner	
230 1230		50	1807	7 50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity Fee Fee Fee Fee Fee Description	1806	180	1806		Submission of Information Disclosure Stmt	
Code (\$)	8021	40	8021	1 40	Recording each patent assignment per property (times number of properties)	
1202 16 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be	
1204 86 2204 43 ** Reissue independent claims					examined (37 CFR 1.129(b))	
over original patent	1801	770	2801		Request for Continued Examination (RCE)	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	 Request for expedited examination of a design application 	
SUBTOTAL (2) (\$) 1374.00		Other fee (specify)				
**or number previously paid, if greater; For Reissues, see above	*Redu	ced by	Basic I	Filing F	ee Paid SUBTOTAL (3) (\$) 00.00) <u> </u>

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SUBMITTED BY

Name (Print/Type)

Nada Jaih

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Registration No.

(Attorney/Agent)

41,431

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Harold H. Schmitz

Filed: Concurrently herewith

Group Art Unit: Not yet assigned

Serial No:

Concurrently herewith

Examiner:

Not yet assigned

For: Flavanols and Procyanidins Promote Homeostasis

Commissioner for Patents
Mail Stop: Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label Number: ER485644251US

Date of Mailing: December 2, 2003

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop: Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.

The following documents are included:

- 1. Patent Application Transmittal
- 2. Fee Transmittal (in duplicate) \checkmark
- 3. Specification, Claims (1-28), Abstract (37 pages) \checkmark
- 4. Figures 1-3 (3 sheets) 🗸
- 5. Return Receipt Postcard

Date: Dealutur 2, 2003

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